

FROM
Intellectual Property Group of
Pillsbury Winthrop LLP
Attorneys at Law
P.O. Box 10500
McLean, VA 22102

RECEIVED
CENTRAL FAX CENTER

JUL 29 2004

Telephone: (703) 905-2000

Our Facsimile #: (703) 905-2500

FACSIMILE TRANSMISSION

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

FACSIMILE #: (703) 872-9306

No. Pages (Including this page) _____ FAX Opr: _____

IF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US IMMEDIATELY

By Telephone AT: (703) _____ (local)
or (703) 905-2000(local)

-->>>

USPTO:

PLEASE ACKNOWLEDGE CLEAR RECEIPT OF ALL PAGES INDICATED
ABOVE BY FAXING THIS PAGE BACK TO ONE OF OUR FACSIMILE
NUMBERS STATED ABOVE

In re PATENT APPLICATION of

Inventor(s) WOOLF et al.

Appln. No. 09/778,956

series code ↑ serial no.

Filed: February 8, 2001

TITLE: A METHOD FOR ANALYZING GENE
EXPRESSION DATA USING FUZZY
LOGIC

Group Art Unit: 5820

Examiner: Marschel

Atty. Dkt. PM 070441/0274072

M#

Date: July 29, 2004

Name or type of signed paper being transmitted:

RCE

Amendment

Extension of Time (two months)

Amendment Transmittal

Fee Sheet

MESSAGE:

**PLEASE DELIVER TO
EXAMINER MARSCHEL, GROUP 1631**

(ATTN: Atty/Sec.: Transmit only one paper herewith. For papers not acceptable by fax, see back side or LAN Forms Directory PAT-286 Rear. Do not file originals but fasten them in our file (left side) with this sheet and fax receipt on top. Do NOT send the originals nor a confirmation copy to the PTO.)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Name Kerry Hartman

Sig. [Signature]

Date July 29, 2004

070441/0274072

OFFICIAL

Attorney's Docket 070441-0274072
Client Reference: A0000133

RECEIVED
CENTRAL FAX CENTER

JUL 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
PETER J WOOLF ET AL.

Confirmation No: 5820

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

Title: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY
LOGIC

OFFICIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers are being facsimile transmitted to the
Patent and Trademark Office at (703) 872-9306 on the date shown below:

RCE
Amendment
Extension of Time (two months)
Amendment Transmittal
Fee Sheet

PILLSBURY WINTHROP LLP



KERRY T. HARTMAN
Reg. No. 41818

Date: July 29, 2004
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500

PTO/SB/17 (10-03)

Approved for use through 07/31/2005. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,600.00

Complete if Known

Application Number 09/778,956
 Filing Date February 8, 2001
 First Named Inventor PETER J WOOLF
 Examiner Name Marschel
 Art Unit 1631
 Attorney Docket No. 070441-0274072

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
41	-20** = 18	x 18	324
Independent Claims	5	xxx = 1	x 86 = 86
Multiple Dependent	-4**		

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 98	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 410.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	420
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 185	Notice of Appeal	
1402 330	2402 165	Filing brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 685	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(c)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1190.00

SUBMITTED BY

Name (Print/Type)

Kerry T. Hartman

Signature

Registration No.

(Attorney/Agent)

41818

(Complete if applicable)

Telephone (703) 905-2085

Date

July 29, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMA 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/778,956
	Filing Date	February 8, 2001
	First Named Inventor	PETER J. WOOLF
	Art Unit	1631
	Examiner Name	Marschel
	Attorney Docket Number	070441-0274072

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 033975

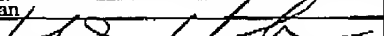
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kerry T. Hartman	Registration No. (Attorney/Agent)	141818
Signature		Date	July 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/30 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/778,956
	Filing Date	February 8, 2001
	First Named Inventor	PETER J. WOOLF
	Art Unit	1631
	Examiner Name	Marschel
	Attorney Docket Number	070441-0274072

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 033975

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

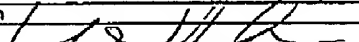
iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Kelly T. Hartman	Registration No. (Attorney/Agent)	41818
Signature		Date	July 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney's Docket 070441-0274072
Client Reference: A0000133

RECEIVED
CENTRAL FAX CENTER

JUL 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re PATENT APPLICATION of: Confirmation Number: 5820
PETER J WOOLF ET AL.

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

For: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY LOGIC

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for a 2 month extension of time under 37 C.F.R. 1.136.

FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

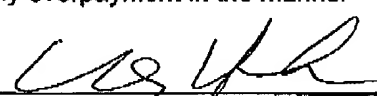
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	41	- 23	= 18 x	\$ 18.00	= \$ 324.00
INDEP.	5	- 4	= 1 x	\$ 86.00	= \$ 86.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$	290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 410.00
EXTENSION OF TIME FEE					\$ 420.00
GRAND TOTAL					\$ 830.00

FEE PAYMENT

Authorization is hereby made to charge the amount of \$830.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: July 29, 2004

PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
(703) 905-2085


KERRY T. HARTMAN
Reg. No. 41818

Attorney's Docket 070441-0274072
Client Reference: A0000133

RECEIVED
CENTRAL FAX CENTER

JUL 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re PATENT APPLICATION of: Confirmation Number: 5820
PETER J WOOLF ET AL.

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

OFFICIAL

For: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY LOGIC

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.
Applicant petitions for a 2 month extension of time under 37 C.F.R. 1.136.

FEES

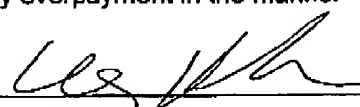
The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	41	—	23	= 18 x \$ 18.00	= \$ 324.00
INDEP.	5	—	4	= 1 x \$ 86.00	= \$ 86.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 410.00
EXTENSION OF TIME FEE					\$ 420.00
GRAND TOTAL					\$ 830.00

FEE PAYMENT

Authorization is hereby made to charge the amount of \$830.00 to Deposit Account No. 033975.
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: July 29, 2004
PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
(703) 905-2085


KERRY T. HARTMAN
Reg. No. 41818